

REMARKS

Claims 1-14 are pending and have been examined in this application.

Applicant would like to thank the Examiner for the indication of allowable subject matter in claims 2, 5, 11 and 14. Applicant respectfully submits, however, that each of the pending claims is in condition for allowance.

Claims 1, 4, 6-10 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2007/0149208 (Syrbe) in view of U.S. Patent Application Publication No. 2004/0002343 (Brauel). Applicant traverses.

Among the limitations of independent claims 1 and 10 which are neither disclosed nor suggested in the prior art of record is a mileage service system that includes a converting unit for “converting the distance calculated by said distance calculating unit to **mileage points**.” (Emphasis added.) *See, e.g.*, Applicant’s specification at p.15, paragraph [0049], which states, “the issuance of the mileage points may be formulated in such a way that a multiplier of points varies depending on information providers. For example, points may be doubled.” On page 2, the Office Action asserts that Syrbe discloses, in paragraph [0139], converting the distance to mileage points. Applicant respectfully disagrees.

Syrbe discloses, in paragraph [0139], that when a user of a first mobile phone (MP) presses a key, a geographic distance and direction application (GDDA) in the first mobile phone “compares its own geographical position with the received geographical position” of a second mobile phone. Syrbe teaches that the “distance is preferably shown in accordance with the units used at the location of the MP, e.g. meters and kilometers or yards and miles.” *Id.* Thus, the conversion disclosed in Syrbe is merely from one actual unit of distance to another unit of distance, and not a conversion of distance to *mileage points*. In the absence of any disclosure or suggestion of the claimed features of the invention in the prior art of record, independent claims 1 and 10 are believed to be in condition for allowance.

Dependent claims 2-9 and 11-14 depend either directly or indirectly from independent claims 1 and 10, and incorporate by reference all of the limitations found therein, and therefore are allowable for the same reasons expressed above. In addition, each of these

dependent claims includes additional limitations which, in combination with the limitations incorporated by reference, are neither disclosed nor suggested in the art of record, and therefore are further allowable. Accordingly, claims 2-9 and 11-14 are likewise patentable.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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